

REMARKS

The title of the application has been presented in upper case, and appropriate headings for the various sections of the application have been provided.

In the last Office Action claims 1-5 inclusive were rejected under 35 U.S.C. § 1.112 second paragraph as being indefinite. Claims 1 and 2 were rejected under 35 U.S.C. § 103 as being unpatentable over European patent application number EP 0881334 A1 (Pavani) in view of U.S. Patent 4,477,206 (Papetti *et al.*). Claims 3-5 inclusive were indicated as being directed to allowable subject matter. Claims 6-13 inclusive have been withdrawn from further consideration as being drawn to non-elected species and inventions.

Claim 1 has been amended to overcome the noted indefiniteness. Reconsideration and allowance of claims 1-5 are respectively requested in view of the following remarks.

Pavani discloses a method comprising a first step of arranging anchoring means on a flexible layer, and a second step of providing a wire net inside the structure. The wire net is abutted on the anchoring means so that it lies on the central plane of the protecting element and not in contact with the flexible layer on the bottom.

Papetti shows a method comprising the steps of providing a first wire netting i.e. the bottom portion of a gabion structure, over an external flexible layer, and then disposing anchoring means, i.e. tubes, cables and “emergency” coupling cables fastened to the tubes, over the bottom of the gabion (see col. 4, I. 66 to col. 5, I. 14 of Papetti). Thus, the anchoring means

lies over the wire netting that in turn lies on the flexible layer. The anchoring means is kept in place only by the filling material.

The present invention teaches to manufacture a mattress type protecting element by first arranging anchoring means on the flexible layer, and then positioning a netting structure over the flexible layer.

The netting structure is directly in contact with the bottom of the protecting element except that at predetermined positions where the anchoring means are positioned on the flexible layer and pass through the netting structure.

Thus, the following advantages can be obtained:

- the anchoring means is sandwiched between the flexible layer and the netting structure so as to be kept in place more efficiently;
- the filling material is poured over the netting structure so as to facilitate the homogeneous distribution inside the mould, i.e. preventing impurities, discontinuity and residual cavities, and to increase the resilient characteristics of the mattress-like element; and
- the netting structure is directly in contact with the flexible layer so as to reinforce the bottom part of the protecting element and to increase all of the characteristics of solidity of the protecting and immobilizing elements of the known type.

In view of the foregoing distinctions between the subject matter of claims 1 and 2 and the references relied upon by the examiner, and in view of the new and unobvious results obtained by these differences, it is respectfully submitted then that claims 1 and 2 would not be the least bit obvious in view of the teachings of the references taken either alone or in combination with

each other. Therefore it is respectfully requested that claims 1-5 inclusive be allowed and the application pass to issue forthwith.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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